GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants—Allegation of Corruption against Sri Nadakuduru Rama Rao. S/o. Sri Anka Raju, Inspector of Police, North Traffic PS, Nellore Town, SPSR Nellore District—Trapped on 07-04-2016—Sanction of prosecution-Accorded — Orders- Issued.

HOME(SC.A) DEPARTMENT

G.O.MS.No. 96 **Dated: 13-07-2018**

ORDER:

Whereas Sri Nadakuduru Rama Rao, S/o. Sri Anka Raju worked as Inspector of Police, North Traffic PS, Nellore Town, Sri Potti Sri Ramulu Nellore District from 20-01-2016 till his suspension i.e. 08-04-2016 and by virtue of the post held by him, he falls within the category of Public servant as defined under section 2(c) of the Prevention of Corruption Act, 1988(Central Act No.49 of 1988).

2. And whereas, Sri Nainar Mohamad Yusuff @ Basha, S/o. Sri Nainar Mohamad, age 42 yrs, Occ: Footwear Business, R/o. D.No. 15-07-127, CRP Donka. Chinna Masjid Centre, Balaji Nagar, Nellore, Sri Potti Sri Ramulu Nellore District earns his livelihood by doing footwear business near Atmakuru Bustand on the platform situated in front of CCS Police Station i.e. Nellore North Traffic Police Station, Nellore for the last 20 years. About 2 months prior to the submission of the complainant. Sri N.Rama Rao, Inspector of Police was posted to Nellore North Traffic PS as Inspector. Sri Nadakuduru Rama Rao came to the place where Sri Nainar Mohamad Yusuff was carrying out his footwear business and demanded that he should pay monthly bribe of Rs.5,000/- to him since he was doing business on the platform or otherwise, he would be evicted from the platform. Then Sri Nainar Mohamad Yusuff expressed his inability to pay such huge amount as monthly bribe as he was very poor and they were living by selling chappals on the platform for the last several years. Then the Traffic Inspector Sri Nadakuduru Rama Rao demanded that Sri Nainar Mohamad Yusuff should pay Rs.15,000/- as first installment of oribe for 6 months or otherwise, he would not be allowed to run his footwear business on the platform. Later, from April 3rd, 2016 onwards, the Traffic Inspector Sri Nadakuduru Rama Rao started demanding bribe by calling up the cell phone of Sri Nainar Mohamad Yusuff 9290719075 from his cell phone No.8099336571. On 06.04.2016, Sri Nainar Mohamad Yusuff met Sri N.Rama Rao at Traffic Police Station and expressed his inability to pay Rs.15,000/- as half yearly bribe and requested him not to harass him. Then the Traffic Inspector Sri Nadakuduru Rama Rao reduced the amount to Rs.10,000/- as first installment of bribe for 6 months and threatened Sri Nainar Mohamad Yusuff that otherwise, he would not be allowed run his business on the platform. Sri Nainar Mohamad Yusuff agreed before the Traffic Inspector Sri Nadakuduru Rama Rao to pay the said bribe amount of Rs.10,000/- to him since he had no other alternative. Then the Traffic Inspector Sri Nadakuduru Rama Rao asked him to pay the said bribe amount of Rs.10,000/- on the evening of 07.04.2016 to him or to the persons to whom he would instruct. As Sri Nainar Mohamad Yusuff was not willing to pay the said bribe amount, he submitted a report on 07-04-2016 with a request to the DSP, ACB, Nellore for taking necessary action.

3. And whereas, after following due procedure, the Deputy Superintendent of Police, Anti Corruption Bureau, Sri Potti Sri Ramulu Nellore District registered a case in Cr. No.5/RCT-NLR/2016 u/s 7 of Prevention of Corruption Act, 1988 on 07-04-2016 at 05-30 PM and took up investigation.

4. And whereas, during the course of investigation, Sri Nadakuduru Rama Rao, S/o. Sri Anka Raju, Inspector of Police, North Traffic PS, Nellore Town, Sri Potti Sree Ramulu Nellore District was trapped on 07-04-2016 at about 10.20 PM when he demanded and accepted the bribe amount of Rs.10,000/- near Sri Vigneswara Sweets and Bakery, Pappulaveedhi Center, Stonehousepet main road from Sri Nainar Mohamad Yusuff @ Basha with his right hand. After receiving the amount, Sri Nadakuduru Rama Rao, Inspector of Police. North Traffic PS, Nellore Town, SPSR Nellore District, handed over the amount to his Home Guard/Jeep Driver Sri Goturu Obulesu, who received it with his left hand and kept the same in the left side pocket of his khaki pant. The chemical test conducted on the fingers of the right hand of Sri Nadakuduru Rama Rao, S/o. Sri Anka Raju, Inspector of Police, North Traffic PS, Nellore Town, yielded positive result. The chemical test conducted on the fingers of the left hand and the inner linings of the left side pocket of the Khaki Pant of the Home Guard/Jeep Driver Sri Goturu Obulesu yielded positive result. On enquiry during the post-trap proceedings, the Home Guard/Jeep Driver

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Sri Goturu Obulesu produced the bribe amount which was handed over to him by Sri Nadakuduru Rama Rao. During the post-trap proceedings, the mediators compared the serial numbers and denominations of the currency notes in the bribe amount produced by the Home Guard/Jeep Driver Sri Goturu Obulesu with the serial numbers and denominations of the currency notes mentioned in the pre-trap proceedings and they tallied. The DSP seized the aforesaid tainted amount of Rs. 10,000/-. The DSP ACB examined and verified relevant records and witnesses connected to the official favour and seized the records. During the post-trap proceedings, the DSP conducted personal search of Sri Nadakuduru Rama Rao, Traffic Inspector and found an amount of Rs. 4,700/- in his pant pocket along with some entries in four sheets consisting of four in number. As Sri Nadakuduru Rama Rao failed to account for the above said amount, the DSP seized the same. When the DSP tried to secure the presence of the persons whose names were mentioned in the four sheets seized from the physical possession of Sri Nadakuduru Rama Rao, they could not be traced except for the persons named Sri K.Srinivasulu, Sri G.Ravikumar and Sri A.Sivakumar Reddy. These three persons stated that Sri Nadakuduru Rama Rao was in the habit of collecting mamools from them for not causing any hindrance to their business. During the post-trap proceedings, when Sri Nadakuduru Rama Rao was asked about his cell phone No.8099336571 through which he used to contact Sri Nainar Mohamad Yusuff@Basha and harass him for payment of illegal gratification, Sri Nadakuduru Rama Rao,produced his smart phone Micromax A 116,with dual SIM in which SIM numbers 8099336571 and 9491039182 being utilized by him and the same phone along with the two SIM cards was seized by the DSP Call detail records obtained from the concerned service provider for the period 01-02-2016 to 07-04-2016 also revealed that Sri Nadakuduru Ramarao contacted Sri Nainar Mohamad Yusuff@Basha on the date and time of trap on 07-04-2016 from his phone number 8099336571 to 9290719075. During the investigation, the DSP secured the presence of Sri D.Murali, Smt S.Santhamma, Smt P.Ramanamma and Sri G.Ravikumar who were doing fruit business on the platform situated in front of CCS Police Station and lorry owners Sri K.Srinivasulu and Sri A.Siva Kumar Reddy and recorded their statements. These six witnesses stated that, Sri N.Ramarao was habitually demanding bribes from them for allowing them to run their business and for not booking cases against them while three of these witnesses stated that Sri Nadakuduru Ramarao also habitually collected bribes from them.

5. And whereas, the above said acts of Sri Nadakuduru Rama Rao, Inspector of Police, North Traffic PS, Nellore Town, SPSR Nellore District constitutes the offences punishable U/s. 7 & 13(2) r/w 13(1) (a) & (d) of Prevention of Corruption Act, 1988(Central Act No.49 of 1988).

6. And whereas, the Government of Andhra Pradesh, being competent authority to remove Sri Nadakuduru Rama Rao, Inspector of Police, North Traffic PS, Nellore Town, Sri Potti Sree Ramulu Nellore District from service, after fully and carefully examining the oral, documentary and the material evidence i.e., copy of FIR, M.R-I, M.R-II and statements of witnesses and records placed before them pertaining to the aforesaid allegations against Sri Nadakuduru Rama Rao, S/o. Sri Anka Raju, Inspector of Police, North Traffic PS, Nellore Town, SPSR Nellore District and having regard to the circumstances of the case, consider that the said Sri Nadakuduru Rama Rao, Inspector of Police, North Traffic PS, Nellore Town, SPSR Nellore District should be prosecuted in a court of law for the aforesaid offence.

7. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section(1) of section 19 of the Prevention of Corruption Act 1988(Central Act No.49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of Sri Nadakuduru Rama Rao, Inspector of Police, North Traffic PS, Nellore Town, SPSR Nellore District for the aforesaid offences punishable under sections 7 and 13 (2) read with 13(1) (a) & (d) of Prevention of Corruption Act (Central Act No.49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid Acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.R.ANURADHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, Anti Corruption Bureau,
Andhra Pradesh., Vijayawada.